



OFFICE OF THE DISTRICT ATTORNEY
WESTCHESTER COUNTY

WESTCHESTER COUNTY COURTHOUSE
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White Plains, New York 10601
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JANET DiFIORE
DISTRICT ATTORNEY

MEMO ENDORSED

August 19, 2008

Hon. Lisa Margaret Smith
United States District Court
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

Re: Cornell Daniels v. Lempke, Superintendent
08 CV 5289 (SCR) (LMS)

Your Honor:

Pursuant to the Court's order of May 16, 2008, respondent's answer is required to be filed by August 19, 2008.

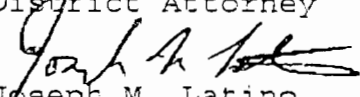
Due to numerous other matters pending in both state and federal courts, the issues raised by the petitioner, and a severe shortage of personnel in the section handling collateral post-conviction litigation for this Office, it is necessary that we request an extension of time in order to adequately respond to the allegations of the petition and provide the relevant exhibits. We request that respondent's time to answer be enlarged to September 19, 2008.

No prior request for such relief has been made. As the petition is pro se, petitioner's consent for this application has not been sought.

Thank you for your consideration of these matters.

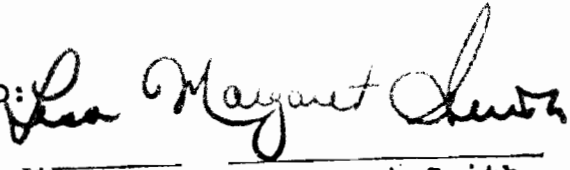
Very Truly Yours,

JANET DiFIORE
District Attorney


Joseph M. Latino
Assistant District Attorney

cc: Cornell Daniels
02 A 3594
Five Points Correctional Facility
Caller Box 119
Romulus NY 14541

SO ORDERED:


Hon. Lisa Margaret Smith
U.S.M.J.

8/19/08